

10/590735

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Daiju YUKI et al. : Mail Stop: PCT

Serial No. NEW : Attorney Docket No. 2006_1393A

Filed August 25, 2006 :

METHOD AND AGENT FOR CONTROLLING
PLANT DISEASE USING BACTERIA OF
GENUS BACILLUS

[Corresponding to PCT/JP2005/003094

Filed February 18, 2005]

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- each U.S. Patent and U.S. Patent application publication;
- each reference previously cited in the international application PCT/_____; and/or
- each reference previously cited in prior parent application Serial No. _____.

1a. This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

10/590735

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. This Information Disclosure Statement is submitted
after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:
(1) the certification of paragraph 2 below is provided, **or**
(2) the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. This Information Disclosure Statement is submitted:
after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:
the certification of paragraph 2 below is provided, and
the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

- a. that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- b. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

10/590735

3. Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

- a. a full or partial English language translation submitted herewith,
- b. a foreign patent office search report (in the English language) submitted herewith,
- c. the concise explanation contained in the specification of the present application at page,
- d. the concise explanation set forth in the attached English language abstract,
- e. the concise explanation set forth below or on a separate sheet attached to the reference:

5. A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Daiju YUKI et al.

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August 25, 2006

INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: August 25, 2006

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NEW

10/590735

IAP5 Rec'd PCT/PTO 25 AUG 2006

APPLICANT
Daiju YUKI et al.FILING DATE
August 25, 2006

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	2004/0265292	12/2004	Watanabe et al.			Corresponds to AJ
	AB						
	AC						
	AD						
	AE						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AF	2003-089612	3/2003	JP			Corresponds to AG
	AG	00/49875	8/2000	WO			
	AG	5-91869	4/1993	JP			Abstract
	AH	6-133763	5/1994	JP			Abstract
	AI	2001-346407	12/2001	JP			Abstract
	AJ	03/46157	6/2003	WO			
	AK	2-209803	8/1990	JP			Abstract
	AL	2003-289854	10/2003	JP			Abstract
	AM	10-146187	6/1998	JP			Abstract
	AN	5-51305	3/1993	JP			Abstract
	AO	2003-277210	10/2003	JP			Abstract
	AP	2005-000145	1/2005	JP			Abstract

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

DATE CONSIDERED